

REMARKS

Claims 1 through 4, 6 through 17, 19, 21 through 23 remain presented for consideration upon entry of the instant amendment.

Applicant acknowledges with appreciation the withdrawal of the previous rejections and objections noted in paragraphs 4 through 8 in the Action.

Claims 1 through 4, 6 through 17, 19 and 21 through 23 have been rejected under 35 U.S.C. §112, second paragraph, based on, as acknowledged in the Action, the limitation "to create a story" and the use of the term "young child". Specifically, the Action states the term "story" is not expressly defined and as used in the claims, may "vary in definition from a story in the mind of the user to a story written out so that it may be read by anyone". Such a position ignores the clear meaning of story as defined in a dictionary, such as Webster's New World College Dictionary. Moreover, the interpretation set forth in the Action ignores the precise, complete language of the claims, namely "to create a story by the user into the customized book". Thus, reconsideration and withdrawal of this rejection are respectfully requested.

The term "young child" as used in claims 21 through 23, the Action states, is not expressly defined and may vary in definition from one age to another. First, this exact term "young child" is on page 5, line 7 of the application. Second, its meaning is clearly and unambiguously known to one of ordinary skill in the art. For example, page 14, lines 2 and 3

of Action contradicts, in part, this rejection and apparently it was understood in page 14 of the Action. Third, use of the dictionary noted above, provides a clear, unambiguous definition for "young" and "child" as defined therein. Therefore, in view of knowledge of one skilled in the art, and clear dictionary definitions of the words, and statements in the Action itself, reconsideration and withdrawal of this rejection are therefore requested.

Claims 1, 2, 5 though 12, 15 through 17, 19, and 21 have been rejected under 35 U.S.C. §103(a) based on Rifkin in view of Engel.

Claim 1 provides a method of self-publishing a customized book by a user. The method comprises providing a board book having a plurality of blank pages, determining creative content for inclusion in said board book, disposing at the discretion of the user at least a portion of said creative content on an adhesive label, and affixing said adhesive label to at least a portion of a page of said plurality of pages of said board book in any format and/or arrangement desired by the use. Claim 1 further provides that said creative content can be any content, size, color or any combinations thereof. Also, the at least a portion of said creative content disposed on said adhesive label is fully customizable. The steps of obtaining, determining, and affixing are performed under the direct control of the user so that said board book is customized in creative content and format and/or arrangement to create a story by the user into the customized book.

Rifkin, as acknowledged in the Office Action, does not

disclose that is known to place such stickers in a book (page 6). Also, Rifkin is directed to toy vehicle playsets in which desired printed stickers can be applied to a selected toy vehicle that has a particular selected design.

As stated in response to the prior Action, Rifkin does not disclose or suggest (1) providing a board book having a plurality of blank pages, (2) determining creative content for inclusion in said board book, (3) affixing said adhesive label to at least a portion of a page of said plurality of pages of said board book in any format and/or arrangement desired by the use. Furthermore, claim 1 provides that the steps of obtaining, determining, and affixing are performed under the direct control of the user so that said board book is customized in creative content and format and/or arrangement to create a story by the user into the customized book.

Pages 4 and 5 of the Action, actually emphasize what is missing in Rifkin. For the element (1) providing a board book having a plurality of blank pages, the Action is silent as to Rifkin. For the element (2) determining creative content for inclusion in said board book, col. 1, lines 19-22 of Rifkin is cited. The cited section of Rifkin is part of the Background of the Invention. Moreover, it is a discussion of basic desktop printing, and nothing more. The cited section never discloses "determining" creative content for inclusion in "said board book" that is customized by the user. For the element (3) affixing said adhesive label to at least a portion of a page of said plurality of pages of said board book in any format and/or arrangement desired by the use, the Action fails to mention Rifkin at all. Claim 1 further provides that the steps of obtaining, determining, and affixing are performed under the

direct control of the user so that said board book is customized in creative content and format and/or arrangement to create a story by the user into the customized book. The Action fails to address this element at all.

Engel is directed to an album having a specific theme, a package of individual stickers and a decoder that allows a child to sneak peek at stickers that the child has not yet collected. As also acknowledged in the Action, Engel does not specifically teach obtaining creative content for those stickers from a computer and disposing that creative content onto stickers using the computer's printer.

Referring to claim 1, for the element (1) providing a board book having a plurality of blank pages, the Action is silent as to Engel, as it was to Rifkin. For the element (2) determining creative content for inclusion in said board book, the Action acknowledges that Engel does not have this element, as well. As stated above, claim 1 further provides that the steps of obtaining, determining, and affixing are performed under the direct control of the user so that said board book is customized in creative content and format and/or arrangement to create a story by the user into the customized book. This element is the crux of the present invention. The Action fails to address this element at all for either Rifkin or Engel.

Applicants submit herewith the Declarations of Carol Bell and Anne Lindsay Fetter, PhD. Carol Bell, who coordinates two early childhood technology projects, that will assist children in strengthening development skills, has not, heretofore, been exposed to such a customized book, as the claimed present

invention. Dr. Fetter, who has a PhD in Developmental and Educational Psychology, has used the product, Blank Slate Books, that, as she states, is the subject of the claims of the present application. As Dr. Fetter clearly states, she has also not been exposed to such a customizable book. In addition, she has not "experienced such a book and method that has such a significant benefit to children, especially children that cannot communicate verbally" (paragraph 4). Also, as Dr. Fetter further states in paragraph 4: "I have seen or tested virtually every high-tech and low-tech literary product that has been developed in the last 20 years and there is nothing on the market or in development that I know of that has the benefits of Blank Slate TM Books". Clearly, these experts in the field contradict the ordinary skill in the art assertions attempted in the subject Action.

Thus, the combination of Rifkin and Engel clearly fail to disclose or suggest the steps of obtaining, determining, and affixing performed under the direct control of the user so that said board book is customized in creative content and format and/or arrangement to create a story by the user into the customized book, which as the Declarations clearly support, as heretofore never been disclosed in the art and is a significant improvement over what was prior art. In addition, the combination of both references fail to disclose (1) providing a board book having a plurality of blank pages, and, as discussed above, (2) determining creative content for inclusion in said board book. Accordingly, reconsideration and withdrawal of the Section 103 rejection of claim 1 are respectfully requested.

Claims 2, 5 through 9 and 21 depend from claim 1.

Therefore, for the same reasons expressed above with respect to claim 1, these claims are also patentable over the cited combination of Rifkin and Engel.

Accordingly, reconsideration and withdrawal of the Section 103 rejection of claims 2, 5 through 4 and 21 are also respectfully requested.

Independent claim 10 provides a system for self-publishing a customized book in which the system comprises: an input device for determining creative content for inclusion in the customized book, wherein said creative content can be any content, size, color or any combinations thereof; a processor for controlling the disposing of at least a portion of a representation of said creative content on an adhesive label, wherein said at least a portion of said creative content disposed on said adhesive label being fully customizable; an output device for performing said disposing; and a board book having a plurality of blank pages for affixing said adhesive label with at least a portion of said creative content disposed thereon to at least a portion of at least one page of said plurality of pages. The determining, disposing, and affixing are performed under the direct control of said user so that said board book is customized in creative content and format and/or arrangement to create a story by said user into the customized book.

Again as acknowledged in the Office Action, Rifkin does not disclose that it was well known to place such stickers in a book. Also, Rifkin does not disclose or suggest a board book having a plurality of blank pages for affixing said adhesive label with at least a portion of said creative content disposed

thereon to at least a portion of at least one page of said plurality of pages. Furthermore, Rifkin fails to disclose or suggest that the steps of determining, disposing and affixing are performed under the direct control of the user so that said board book is customized in creative content and format and/or arrangement to create a story by the user into the customized book.

Also as acknowledged in the Action, Engel does not specifically teach obtaining creative content for those stickers from a computer and disposing that creative content onto stickers using the computer printer. Also, Engel fails to disclose or suggest (1) an input device for determining creative content for inclusion in the customized book, wherein said creative content can be any content, size, color or any combinations thereof, (2) that said at least a portion of said creative content disposed on said adhesive label is fully customizable, or (3) that the determining, disposing, and affixing are performed under the direct control of said user so that said board book is customized in creative content and format and/or arrangement to create a story by said user into the customized book.

Thus, the combination of Rifkin and Engel clearly fails to disclose or suggest the steps of determining, disposing and affixing are performed under the direct control of the user, let alone so that said board book is customized in creative content and format and/or arrangement to create a story by the user into the customized book. Accordingly, reconsideration and withdrawal of the Section 103 rejection of claim 10 are respectfully requested.

Since claims 11, 12, 15 through 17 and 19 depend from claim 10, they also are patentable over the combination of Rifkin and Engel.

In addition, claim 19 provides that the board book and the plurality of pages are rigid and durable pressed paper. Page 14 of the Action, states that "The additional limitation of the page thickness is not disclosed in the specification as being inventive" and that the "disclosure discusses a preference for a certain thickness of paper, not as a part of the invention, but rather as part of the workpiece, and as an obvious design choice to accommodate rough usage by children. See, page 5, lines 2-4". First, page 5, lines 2-4 are clearly set forth under the Detailed Description of the Invention portion of the application. Second, the Action fails to disclose a reference that discloses this structure. Third, this structure, it is asserted by applicants, facilitates the affixing step of claim 10. Applicants, the inventors, submits it is part of the invention, and that is why it is under the Detailed Description of the Invention.

Thus, reconsideration and withdrawal of the Section 103 rejection of claims 10 through 12, 15 through 17 and 19 are requested.

Claims 3, 4, 13, 14 and 22 have been rejected based on the combination of Rifkin and Engel and further in view of Smith.

Discussed above is the shortcomings of the combination of Rifkin and Engel with respect to independent claims 1 and 10.



Smith is a publication titled Reproducible Mini Books for Emergent Readers. It is an inexpensive reproducible blackline books to extend classroom materials for emergent readers. In short, pictures and text are enlarged, colored and then glued to construction paper and laminated to make a big book for shared reading. Clearly, Smith fails to disclose or suggest the steps of obtaining, determining, and affixing are performed under the direct control of the user so that said board book is customized in creative content and format and/or arrangement to create a story by the user into the customized book of claim 1, or the steps of determining, disposing and affixing are performed under the direct control of the user, let alone so that said board book is customized in creative content and format and/or arrangement to create a story by the user into the customized book, of claim 10.

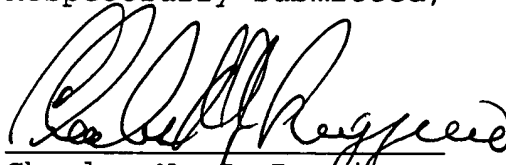
Therefore, claims 3, 4, 13, 14 and 22 are patentable over the combination of Rifkin, Engel and Smith. Thus, reconsideration and withdrawal of the rejection of these claims are requested.

Again, the present claimed invention has achieved success in local area schools in that a user, such as a young child, is permitted to create his/her own story in a personalized/customized book using the techniques covered by the claims of the present invention. As the Declarations state, the claimed invention was never known before and is not obvious to such persons skilled in the art, contrary to the unsupported assertions made in the Action.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Charles N. J. Ruggiero", written over a horizontal line.

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